

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**PATRICK NEAL JAMES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:17-cv-641-CWR-FKB**

**JABREAL SHAKUR, JOHN DOES ONE  
THROUGH FIVE AND LIBERTY MUTUAL  
INSURANCE COMPANY**

**DEFENDANT**

**ORDER BIFURCATING CLAIMS**

THIS MATTER is before the Court on the motion *ore tenus* of the parties who hereby agree to the entry of this order. The Court is fully advised in the premises.

The Court notes that the parties have agreed to the entry of this Order to address the issue of disclosure of insurance to the jury. Disclosure of Liberty Mutual's uninsured motorist coverage to the jury would necessarily indicate to the jury that Jabreal Shakur has liability insurance.

Here, Liberty Mutual Insurance Company, the underinsured motorist carrier, has stipulated and agreed to be bound as to the amount of the jury verdict up to its underinsured motorist limits applicable in this case. Accordingly, there is no reason that the jury should hear evidence of insurance, and bifurcation of the claims pursuant to *Heflin v. Merrill*, 154 So. 3d 887 (Miss. App. 2013), is appropriate to address the issue. Accordingly, it is hereby

ORDERED AND ADJUDGED that the claims against Liberty Mutual Insurance Company are bifurcated from the claims against Jabreal Shakur and that future proceedings shall be consistent with the Order of the Court to BIFURCATE. It is similarly ordered that the jury verdict in this case shall bind Liberty Mutual up to its uninsured motorist limits.

SO ORDERED AND ADJUDGED, this the 23rd day of January, 2019.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE

AGREED:

/s/ J. Harland Webster  
MICHAEL C. STEELE, MB# 100163  
J. HARLAND WEBSTER, MB# 102458  
*Attorney for Plaintiff*

/s/ Andrew Hatten  
ANDREW HATTEN, MB# 105066  
VICK SMITH, III, MB# 7623  
*Attorney for Liberty Mutual Insurance Co.*

/s/ C. Maison Heidelberg  
C. MAISON HEIDELBERG, MB# 9559  
*Attorney for Jabreal Shakur*